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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,734	11/01/2001	Charles G. Williamson	09741620/0206	2705
7590	04/23/2004			EXAMINER BAHTA, KIDEST
SONNENSCHEIN NATH & ROSENTHAL Sears Tower Wacker Drive Station P.O. Box 061080 Chicago, IL 60606-1080			ART UNIT 2125	PAPER NUMBER 9
DATE MAILED: 04/23/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

KC

Office Action Summary	Application No.	Applicant(s)	
	10/003,734	WILLIAMSON, CHARLES G.	
	Examiner Kidest Bahta	Art Unit 2125	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 09 February 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-13 are rejected under 35 U.S.C. 102(e) as being anticipated Yung (U.S. Patent 6,196,113).

Regarding claims 1, 5, 8 and 11, Yung discloses code input device (Fig. 2 element 25, i.e., control panel); a housing (Fig. 5B, element 154); a heat generator (Fig. 5B, element 150, i.e., chamber) disposed in association with the housing (column 7, lines 42-46) and operates the heat generator in accordance with a recipe program selected from the plurality of recipe program in view of a code input by the code input device (column 11, lines 1-57); storing the plurality of recipe programs in the memory (Fig. 6, element 225 and 254) by the controller (Fig. 6, element 250; column 9, lines 11-24) that are each selectable with digital signal from a code input device (column 11, lines 8-22); configuring the oven in response to the digital signal associated with one recipe program in the plurality of recipe programs (column 8, lines 21-25 & lines 44-48; column 11, lines 8-22) and a network interface (Fig. 6, element 295) in communication with controller (Fig. 6, element 250) that a recipe program from an operable connected,

but external device and receives without user intervention the requested recipe program (column 9, lines 11-59; column 10, lines 16-29).

Regarding claims 2, 7, 10 and 13, Yung discloses a clock operable coupled to the controller (Fig. 2) and set upon receipt at network interface of a time synchronization message (it is inherent in all computer networks that the clocks are synchronize. column 6, lines 42-56).

Regarding claims 3-4, 6, 9 and 12, Yung discloses a recipe program request messaged including the input code is formatted by the controller in response to the code input device (column 6, lines 27-33) upon the controller failing of the find a recipe program in the plurality of recipe program associated with the input code (column 6, lines 9-19); the network interface (Fig. 6, element 295; column 9, lines 46-59) is in receipt of the request recipe program associated with the input code in response recipe program request message (Fig. 6; column 10, lines 16-30).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 14 -20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yung (U.S. Patent 6,196,113) in view of Edamula (U.S. patent 4,837,414).

Regarding claims 14-17, Yung discloses the limitations of claims 1, 5, 8 and 11 as stated above in par. 2. However, Yung fails to disclose the limitation of claims 14-17. Edamula discloses the limitation s of claims 14-17 as follow: the code input device comprises a bar code for scanning a unique product code (Abstract and Fig. 4).

It would have been obvious to a person of ordinary skill in the art at the time of invention was made to modify the teachings of Yung with the teachings of Edamula since it is easy to recognized or identify a particular cooking program.

Regarding claims 18-20, Yung discloses a housing (fig. 1, element 54 and Fig. 5B, element 154); a heat generator disposed in association with the housing (Fig. 1, element 50 and Fig. 5B, element 150) disposed in the housing (Fig. 2 and Fig. 5B); receiving a plurality of recipe programs at a network interface in an oven from an operably connected, but external device (Fig. 6, element 294 & 296; column 9, lines 11-59; column 10, lines 16-29, i.e., a devices externally connectable to the appliance include a personal computer 296 which is preferably connected via the standard interface 295 which is either a parallel port or a serial port to the I/O interface 290. This allows for multimedia files to be played back as well as for even flexible exchange of data and control); storing the plurality of recipe programs in memory by a controller, each of the plurality of recipe programs being selected in response to a code input by a code device (column 2, lines 46-57); executing a recipe program to configure the oven

in response to the code being associated with the recipe program by the controller (column 6, lines 42-56).

Yung specifically fails to disclose a code input device including a bar code reader for scanning a unique product code. However, Edamula discloses a code input device including a bar code reader for scanning a unique product code (Abstract and Fig. 4).

It would have been obvious to a person of ordinary skill in the art at the time of invention was made to modify the teachings of Yung with the teachings of Edamula since it is easy to recognize or identify a particular cooking program.

Response to Amendment/Arguments

5. Applicant's arguments filed February 9, 2004 have been fully considered but they are not persuasive.

Regarding independent claims 1, 5, 8, 11, 18 and 19, applicants argue that Yung, fails to disclose the receiving without user intervention, a plurality of recipe programs at a network interface in a oven from an operably connected, but external device. However, the examiner disagrees since Yung discloses (Fig. 6, element 294 & 296; column 9, lines 11-59; column 10, lines 16-29, i.e., a devices externally connectable to the appliance include a personal computer 296 which is preferably connected via the standard interface 295 which is either a parallel port or a serial port to the I/O interface 290. This allows for multimedia files to be played back as well as for even flexible exchange of data and control without user intervention).

In additions, newly added claims 14-20 has been rejected with Yung and Edamula as state in Par. 4.

Regarding the terminal disclaimer filed on February 9, 2004, has been reviewed and is accepted. The terminal disclaimer has been recorded.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning communication or earlier communication from the examiner should be directed to Kidest Bahta, whose telephone number is (703) 308-6103. The examiner can normally be reached on M-F from 7:30 a.m. to 4:00 p.m. EST. If attempts to reach the examiner by phone fail, the examiner's supervisor, Leo Picard, can be reached (703) 308-0538. Additionally, the fax phone for Art Unit 2125 is (703)

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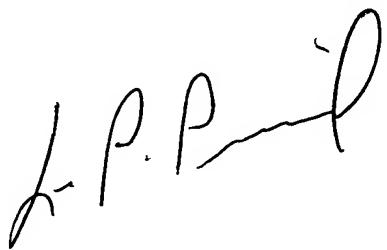
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308-6306 or 308-6296. Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist at (703) 305-9600.

Kidest Bahta

April 21, 2004

A handwritten signature in black ink, appearing to read "L.P. Picard".

LEO PICARD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100